

**ORDINANCE NO. 6
SERIES 2014**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, VACATING TWO UTILITY EASEMENTS WITHIN BLOCK 9, RIO GRANDE ADDITION, CITY OF GUNNISON, STATE OF COLORADO.

WHEREAS, the applicants, Sweitzer Oil, Inc. and Whetstone Associates, submitted an application on May 27, 2014, requesting the City of Gunnison to vacate two utility easements within Block 9, Rio Grande Addition as described in Exhibit 1; and

WHEREAS, Section 12.11 of the *City of Gunnison Land Development Code* states that approval of a vacation of a recorded plat, right-of-way or easement may only occur if the application meets all the Review Standards for a Vacation; and

WHEREAS, the Planning and Zoning Commission of the City of Gunnison held a public hearing upon the proposed vacation on June 25, 2014, and made a recommendation to the City Council to approve the requested easement vacation; and

WHEREAS, the City Council of the City of Gunnison, Colorado, held a public meeting on the requested street vacation on July 8, 2014;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS THAT:

Section 1. Findings of Fact. Based upon the application for an easement vacation, the supporting materials submitted therewith, and the evidence adduced at the public hearing conducted by the Planning and Zoning Commission of the City of Gunnison, the City Council hereby finds as follows:

- A. The applicant requests to vacate an easement reserved to the City located within a previously vacated alley (City of Gunnison Ordinance 18, Series 1980).
- B. The applicant requests to retract a grant of easement from Sweitzer Oil, Inc. to the City of Gunnison (Book 553, Page 858) that includes the vacated north/south alley and a strip of land 20 feet wide and 100 feet in length extending north of the vacated alley.
- C. Utilities are not located within the easement and are not planned at this location in the future.
- D. The vacation of the easement will not be a detriment to the health, safety and welfare of the community.

Section 2. Vacation. The easement which is vacated by this ordinance is a portion of Block 9, Rio Grande Addition as described in Exhibit 1.

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED, this 8th day of July, 2014, on first reading, and introduced, read, and adopted on second and final reading this 22nd day of July, 2014.





Mayor



City Clerk

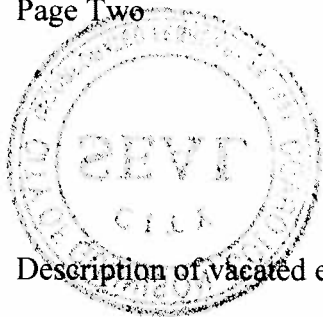


Exhibit 1:

Description of vacated easements:

The north/south alley adjacent to Lots 5-22, Block 9, City of Gunnison, according to the plat of Rio Grande Addition of record in the office of the Clerk and Recorder and a portion of real property commencing at the northwest corner of Lot 22, Block 9, thence north 100 feet to the north line of said block; thence west a distance of 20 feet; thence south 100 feet to the northeast corner of Lot 5 of said block; thence east 20 feet to the point of beginning.

